

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
NORTHERN DIVISION**

BILLY M. WALKER,)	
)	
Plaintiff,)	
)	
v.)	No. 2:16CV18 PLC
)	
GLEN BABICH, et al.,)	
)	
Defendants.)	

MEMORANDUM AND ORDER

Plaintiff, a prisoner, seeks leave to proceed in forma pauperis in this civil action under 42 U.S.C. § 1983 for deliberate indifference to his serious medical needs. Having reviewed plaintiff's financial information, the Court assesses a partial initial filing fee of \$12, which is twenty percent of his average monthly deposit. *See* 28 U.S.C. § 1915(b). Additionally, the Court will direct the Clerk to issue process on the complaint.

Standard of Review

Under 28 U.S.C. § 1915(e), the Court is required to dismiss a complaint filed in forma pauperis if it is frivolous, malicious, or fails to state a claim upon which relief can be granted. To state a claim for relief under § 1983, a complaint must plead more than "legal conclusions" and "[t]hreadbare recitals of the elements of a cause of action [that are] supported by mere conclusory statements." *Ashcroft v. Iqbal*, 556 U.S. 662, 678 (2009). A plaintiff must demonstrate a plausible claim for relief, which is more than a "mere possibility of misconduct." *Id.* at 679. "A claim has facial plausibility when the plaintiff pleads factual content that allows the court to draw the reasonable inference that the defendant is liable for the misconduct alleged." *Id.* at 678.

The Complaint

Plaintiff alleges that he has multiple sclerosis and brain damage from traumatic accidents. He says that defendants Dr. Glen Babich, Dr. Thomas Pryor, Catie Mere, and Tammie Anderson have refused to give him necessary medications. He also says that defendant Corizon, Inc., has a policy of denying inmates their medications. And he says that he has suffered several injuries as a result, including frequent seizures, difficulty talking, not being able to walk, constant pain, loss of memory and mental function, and difficulty performing major life activities.

Discussion

The Court finds that the complaint states a plausible claim for relief against each of the defendants. As a result, the Court will order the Clerk to issue process on the complaint.

Accordingly,

IT IS HEREBY ORDERED that plaintiff's motion to proceed in forma pauperis [ECF No. 2] is **GRANTED**.

IT IS FURTHER ORDERED that the plaintiff must pay an initial filing fee of \$12 within thirty (30) days of the date of this Order. Plaintiff is instructed to make his remittance payable to "Clerk, United States District Court," and to include upon it: (1) his name; (2) his prison registration number; (3) the case number; and (4) that the remittance is for an original proceeding.

IT IS FURTHER ORDERED that the Clerk is directed to issue process on each of the defendants in accordance with the Court's agreement with Corizon, Inc.

Dated this 8th day of April, 2016.



PATRICIA L. COHEN
UNITED STATES MAGISTRATE JUDGE